HON'BLE SHRI G.S.SINGHVI, THE CHIEF JUSTICE
AND
HON'BLE SHRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION No. 23334 OF 2001

Between:

Ghantasala Lakshmi Kumari and three others

…Petitioners

AND

The District Collector, Krishna at
Machilipatnam and three others

...Respondents

: O R D E R :

Counsel for the petitioners : Shri P. Sri Raghu Ram

Counsel for the respondents : Assistant Government Pleader for Irrigation

August 3, 2007

Per G.S.SINGHVI, CJ

In this petition, the petitioners have prayed for grant of a declaration that Water Users Society Act does not operate in the field of Wild Life Protection Act, 1972 in the area of Kolleru Bird Sanctuary. They have further prayed for setting aside auction notice dated 1-11-2001 and issue of a direction to the respondents to permit them to undertake fish operations in the area of Kolleru Bird Sanctuary.

Shri P. Sri Raghu Ram, learned counsel for the petitioners says that the writ petition has become infructuous and the same may be disposed of as such. Ordered accordingly.

As a sequel to dismissal of the writ petition as withdrawn, interim order dated 12-11-2001 is vacated and WPMP No. 29468 of 2001 is dismissed.

While disposing of the writ petition in the manner indicated above, we direct District Collector, Krishna at Machilipatnam and District Collector, West Godavari at Eluru to faithfully and rigorously implement the judgment of the Supreme Court in **S. Jagannath v. Union of India**[1] and of the Division Bench of this Court in **Madireddy Padma Rambabu v. District Forest Officer, Kakinada**[2] and demolish the fish tanks and stop prawn culture operation undertaken by anyone within the area of Kolleru Lake. The officers are also directed that in future no one shall be allowed to undertake fish/prawn culture in the area of Kolleru Lake/Kolleru Bird Sanctuary. They should take action without fear of any political and executive pressure, which may be brought by interested parties.

Shri A. Satya Prasad, learned Special Government is directed to communicate this order to both the District Collectors and apprise them that any violation of this Court's order will result in initiation of proceedings against the officers concerned under the Contempt of

Courts Act, 1971.

G.S. SINGHVI, CJ

C.V. NAGARJUNA REDDY, J

August 3, 2007

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[1] AIR 1997 SC 811

[2] 2002 (1) ALD 728